

## **REMARKS/ARGUMENTS**

The applicant has provided the following analysis concerning non-introduction of new matter for this preliminary amendment.

"A Special Interest Group (SIG) was formed to create an industry standard for short range low power radio frequency (RF) connectivity to make free use of intellectual property in a specification. The specification is called Bluetooth. The SIG determined a short range low power RF protocol for personal wireless connectivity technologies that allow personal devices to communicate. The Bluetooth wireless technology serves as a replacement of the interconnecting cables between personal electronic devices. Because the FAWM design replaces the interconnecting cable between a portable audio music device and a pair of headphones, it was necessary to follow the Bluetooth specification to adhere to the RF, low power wireless protocol.

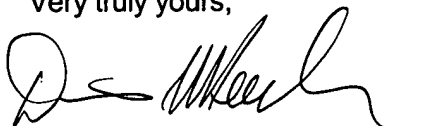
In the initial patent application and the CIP the Bluetooth protocol was described, but the name (Bluetooth) was not called out. The key Bluetooth specifications are as follows: The (1) carrier frequency of approximately 2.4 GHz is in the ISM (Industrial, Scientific, & Medical) band, and the (2) data rate is approximately 1 Mbps. The (3) transmit power is not greater than 100 mW (milliwatts), and has a (4) operating range up to 30 ft (or 10 m). To correct errors that may occur during packet transmission, (5) convolutional encoding is used. Finally, (6) spread spectrum technology is used for maximum immunity to interference.

Each of the Bluetooth specifications listed has been included in the initial patent application and the CIP".

No additional fee for claims is seen to be required.

If you have any questions do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Dennis W. Beech", written over a horizontal line.

DENNIS W. BEECH  
Reg. No.: 35,443

DWB/ab



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In regards to application of:

Serial Number: 10/648,012  
Applicant: C. Earl Woolfork  
Filing Date: 08/26/2003  
Title: WIRELESS DIGITAL AUDIO SYSTEM  
TC/AU: 2644  
Examiner: Graham, Andrew R.

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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13 Pages of response

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ANNEROSE BEECH